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ADVANCED LEGAL RESEARCH, ANALYSIS & WRITING

Bonnie E. Fish &
Benjamin Glustein

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ADVANCED LEGAL RESEARCH, ANALYSIS & WRITING

Materials Fall 2013

1. Legal Research Process

- Merksy, Roy. F, *Fundamentals of Legal Research*, 8th ed. (New York: Foundation Press, 2002) at 14-20
- Rosemary Bocska, "When is it time to stop doing research?" *Lawyers Weekly* (July 22, 2005)
- Best Guide to Canadian Legal Research: Plan and organize your research http://legalresearch.org/docs/process01.html
- Best Guide to Canadian Legal Research: Basic legal research checklist http://legalresearch.org/docs/checklist.html

2. Researching Case Law

- Ted Tjaden, *Legal Research & Writing*, 2nd ed. (Toronto: Irwin Law, 2004) Chapter 4
- Perell, Paul, "Stare Decisis and Techniques of Legal Argument" *How To Research Your Way Out of a Paper Bag* (Toronto: Ontario Bar Association, 2003)
- Stare Decisis – Hierarchy of Decisions

3. Researching Canadian Legislation

- *Legislation Act, 2006,* S.O. 2006, c.21, Sched. F
- How a Government Bill Becomes a Law. Ontario Legislative Library.
- When do Acts and Regulations Come Into Force. Ontario Legislative Library (2007)

4. Legal Writing

- Kleefeld, John. "Write Me a Memo" (2010), 4 CLEAR 217
- McCallum, Margaret. *Synthesis: Legal Reading, Reasoning and Writing in Canada*, 3rd ed. (Toronto: CCH, 2012) at Chapters 10 and 14

5. Sample Factums

- Precedent - Factum of the Moving Party
- Precedent - Factum of the Responding Party